

Entered -05-09-01 - sb
CL 01L0301 - GWENDOLYN BURNS

01- R -1234

CLAIM OF: STATE FARM INSURANCE COMPANIES
as subrogee of **FERIST JAMES**
5301 Snapfinger Park Drive
Decatur, Georgia 30037-0568

For damages alleged to have been sustained as a result of a vehicular accident on January 25, 2001 at Bankhead Highway, NW and Holly Street, NW.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION
COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **STATE FARM INSURANCE COMPANIES as subrogee of FERIST JAMES** the sum of **\$2,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on January 25, 2001 at Bankhead Highway, NW and Holly Street, NW. as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

ADOPTED BY
SEP 04 2001
COUNCIL

SEP 04 2001
MUNICIPAL CLERK

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

APPROVED

SEP 13 2001

WITHOUT SIGNATURE
BY OPERATION OF LAW

FAVORABLE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE
DATE: SEP 04 2001

CHAIR: *C-T. Mark*

Clara Winslow

ATLANTA CITY COUNCIL PRESIDENT
SEP 04 2001



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

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01-R-1234

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **State Farm Insurance Companies as subrogee of Ferist James** in the sum of **\$2,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of **a vehicle accident on January 25, 2001 at Bankhead Highway, NW and Holly Street, NW** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

**ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403**

SEP 04, 2001

SEP 13, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0456

Date: August 1, 2001

Claimant /Victim FERIST JAMES
BY: (Atty) (Ins. Co.) STATE FARM INSURANCE COMPANIES
Address: 5301 Snapfinger Park Drive, P.O. Box 370568, Decatur, Georgia 30037-0568
Subrogation: X Claim for Property damage \$ 8,486.33 Bodily Injury \$
Date of Notice: 5/8/01 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 1/25/01 Place: Bankhead Highway, NW & Holly Street, NW
Department PUBLIC WORKS Division Solid Waste Services
Employee involved Zenas Middlebrook Disciplinary Action: 10 day suspension

NATURE OF CLAIM: Claimant's vehicle sustained damage when it was backed into by a sanitation vehicle that was attempting to make a garbage pickup. The City employee was cited for "improper backing".

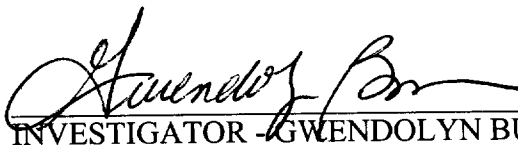
INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police X Dept Report Other
Traffic citations issued: City Driver X Claimant Driver
Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months Other Damages reasonable
City not involved Offer rejected Compromise settlement X
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 2,000.00 Adverse Account charged: 1A01 X 2J01 2H01
Claims Manager:  Concur/date 08-02-01
Committee Action: Council Action

01L0301

GB

COUNCIL OF THE CITY OF ATLANTA
CLERK OF COUNCIL
City Hall
55 Trinity Street, S.W.
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

ENTERED - 7-18-01 - SB
01L0456 - GWEN BURNS

Today's Date: 5-14-01

Dear Clerk of Council:

Attn: Diane Mitchell

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 8486.33 property and/or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: 1-25-01
(month/day/year)
2. Police called: ☒ Yes ☐ No
3. Location of incident: Bankhead Hwy, Atlanta, GA
4. Name of your insurance company: State Farm Mutual Policy No. 8039-277-110
5. State what and how incident occurred: Your driver backed into my
INSURANCE

6. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

7. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: Cadillac 94 550MJ2 Ferist James
(make) (year) (tag number) (driver's name)

City vehicle: 93 Garbage Truck Zenas Middlebrooks Sanitation
(make) (City driver's name) (department/bureau)

8. Witness: _____
(name) (address) (telephone number)

9. The acknowledgement of this claim in no way waives the Governmental immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

10. This claim should be mailed immediately to the address shown above.

01-R-1234

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE
INFORMATION IS TRUE AND CORRECT.

DENISE EUBANKS
5301 SNAPPINGER PARK DRIVE
P.O. BOX 370568
DECATUR, GA 30037-0568
(770) 593-6436

State Farm Mutual
(claimant's name)
PO Box 370568
(address)
Decatur GA 30037
(city and state)
770-593-6436
(work number) (home number)

Claim# 11-3590-555

RCS# 3092
9/04/01
3:36 PM

Atlanta City Council

Regular Session

MULTIPLE Public Safety Consent Agenda except #15

1234

ADOPT

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

MULTIPLE